

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TOUCHSTREAM TECHNOLOGIES, INC.,	§	
<i>Plaintiff,</i>	§	
v.	§	CASE NO. 2:23-cv-00059-JRG
CHARTER COMMUNICATIONS, INC., et	§	(Lead Case)
al.,	§	
<i>Defendants.</i>	§	

---

TOUCHSTREAM TECHNOLOGIES, INC.	§	
<i>Plaintiff,</i>	§	
v.	§	CASE NO. 2:23-cv-00062-JRG
COMCAST CABLE COMMUNICATIONS,	§	(Member Case)
LLC d/b/a XFINITY, et al.,	§	
<i>Defendants.</i>	§	

**ORDER**


Plaintiff and Defendants previously filed cross-motions for Summary Judgment regarding 35 U.S.C. § 101. (Dkt. Nos. 86, 88.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 240), recommending that the Court grant Touchstream's Motion for Summary Judgment of Validity (Dkt. No. 88) and deny Defendants' Motion for Summary Judgment of Invalidity (Dkt. No. 86). Defendants filed Objections (Dkt. No. 262), with Touchstream filing a response (Dkt. No. 293).

Additionally, the Charter Defendants previously filed a Motion for Partial Summary Judgment of Non-Infringement. (Dkt. No. 87.) Judge Payne entered a Report and Recommendation (Dkt. No. 244), recommending that the Court deny Charter's Motion for Partial Summary Judgment (Dkt. No. 87). Charter filed Objections (Dkt. No. 265), with Touchstream filing a response (Dkt. No. 296).

After conducting a *de novo* review of the briefing on the Motions for Summary Judgment, the Reports and Recommendations, and the briefing on Defendants' Objections, the Court agrees with the reasoning provided within the Reports and Recommendations and concludes that the Objections fail to show that the Reports and Recommendations were erroneous. Consequently, the Court **OVERRULES** Defendants' Objections and **ADOPTS** the Reports and Recommendations and orders that:

- The Motion for Summary Judgment of Invalidity (Dkt. No. 86) is **DENIED**.
- The Motion for Summary Judgment of Validity (Dkt. No. 88) is **GRANTED**.
- The Motion for Partial Summary Judgment of Non-infringement is **DENIED** except as provided in the Report and Recommendation (Dkt. No. 244).

**So ORDERED and SIGNED this 21st day of February, 2025.**

  
\_\_\_\_\_  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE